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BEFORE THE ARIZONA CORPORATION
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Arizona Corporation Commission
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IN THE MATTER OF THE APPLICATION OF
WATER UTILITY OF GREATER BUCKEYE FOR
AN EXTENSION OF ITS EXISTING
CERTIFICATE OF CONVENIENCE AND
NECESSITY.

DOCKET NO. W-02451A-06-0792

STAFF'S LATE-FILED EXHIBIT
AMENDED RECOMMENDATIONS

On September 24, 2007, Staff of the Arizona Corporation Commission ("ACC" or "Commission") issued its Staff Report in this matter. Staff recommended approval of the Application, subject to several conditions listed in the Staff Report. On October 9, 2007, the Applicant filed its exceptions to the Staff Report, citing several of Staff's conditions.

On October 25, 2007, a hearing in this matter was conducted before Administrative Law Judge ("ALJ") Yvette B. Kinsey. At hearing, Staff agreed to several of the terms proposed by the Applicant in its exceptions to the Staff Report. In order to make the record clear as to exactly the conditions to which Staff was agreeing, ALJ Kinsey requested that Staff file a late-filed exhibit, clarifying each of the changes from the Staff Report. Staff hereby submits that late-filed exhibit.

I. Staff Condition No. 2

Water Utility of Greater Buckeye ("WUGB") has requested that the Commission extend the deadline for the filing of the Franchise Agreement with Maricopa County from 365 days, as it appears in the Staff Report, to 2 years. Staff amends its recommendation and concurs with WUGB. Therefore, Staff's Condition No. 2, as it appears in the Staff Report, should be amended to read, in pertinent part, "... within 2 years of the decision in this matter."

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1 **II. Condition No. 3**

2 WUGB has provided the Certificate of Assured Water Supply ("CAWS") as Staff had
3 recommended. Staff is satisfied that this condition has been met. Staff therefore withdraws its
4 recommendation regarding Condition No. 3.

5 **III. Condition No. 4**

6 WUGB has provided the Approval To Construct ("ATC") as Staff had recommended.
7 Staff is satisfied that this condition has been met. Staff therefore withdraws its recommendation
8 regarding Condition No. 4.

9 **IV. Condition No. 6**

10 WUGB has requested that it be given 12 months in which to comply with Staff's Condition
11 that Approval Of Construction ("AOC") relating to a storage tank of at least 16,000 gallons. Staff
12 amends its recommendation and concurs with WUGB. Therefore, Staff's Condition No. 6, as it
13 appears in the Staff Report, should be amended to read, in pertinent part, "... within 12 months of
14 the effective date of the decision in this case."

15 **V. Condition No. 7**

16 WUGB has requested that it be given 12 months in which to comply with Staff's Condition
17 that Approval Of Construction ("AOC") issued by the Maricopa County Environmental Services
18 Division ("MCESD") relating to the interconnection of the WUGB Sweetwater II water system
19 and the town of Buckeye municipal water system. Staff amends its recommendation and concurs
20 with WUGB. Therefore, Staff's Condition No. 7, as it appears in the Staff Report, should be
21 amended to read, in pertinent part, "... within 12 months of the effective date of the decision in this
22 case."

23 **VI. Summary**

24 The final paragraph of the Executive Summary of the Staff Report should be amended as
25 well to conform with the changes reflected above. Therefore, that paragraph should read, in
26 pertinent part "... should WUGB fail to meet Conditions No. 2, 5, 6, 7, 8, and 9 listed above ..."


27 . . .

28 . . .

1 **CONCLUSION**

2 Staff hereby submits the proposed amendments to the Staff report. The changes proposed in
3 this exhibit reflect the changes made verbally by Staff's witnesses at hearing and constitute Staff's
4 position in this matter.

5 RESPECTFULLY SUBMITTED this 29th day of October, 2007.

6
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8 By 
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13 Original and 13 copies of the foregoing
14 filed this 29th day of October, 2007, with:

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19 Copy of the foregoing mailed this
20 29th day of October, 2007, to:

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